

FILED
OCT 16 1967

JOHN F. DAVIS, CLERK

IN THE
SUPREME COURT OF THE UNITED STATES.

OCTOBER TERM, 1967.

No. 43.

LESTER J. ALBRECHT,
Petitioner,

v.

THE HERALD COMPANY, a Corporation, d/b/a GLOBE-DEMOCRAT
PUBLISHING COMPANY,
Respondent.

RESPONDENT'S MOTION TO TRANSFER CASE FROM
SUMMARY CALENDAR TO REGULAR CALENDAR.

LON HOCKER,
411 North Seventh Street,
St. Louis, Missouri,
THOMAS NEWMAN,
Woolworth Building,
New York, New York,
Attorneys for Respondent.

Of Counsel:

HOCKER, GOODWIN & MacGREEVY,
GOLDMAN, EVANS & GOLDMAN.

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Respondent moves that the Court set this case on its regular calendar rather than on the summary calendar.

For grounds of its motion respondent states:

1. On October 9, 1967, the Court ordered that respondent's motion to dismiss for want of jurisdiction be postponed to the hearing of the case on the merits.
2. The time allowed counsel for argument on the summary calendar under Rule 44(3) is sufficient for discussion of the case on the merits, but is insufficient for a discussion both of the merits and of the matters raised in respondent's motion as well.

3. The questions raised in the motion are of vast importance not only to present and inevitable future litigation, but to fundamental concepts of government under the United States Constitution; they must be passed upon by the Court before reaching the merits; and the Court should have the benefit of counsel's argument thereon before deciding them.

Respectfully submitted,

LON HOCKER,
411 North Seventh Street,
St. Louis, Missouri,

THOMAS NEWMAN,
Woolworth Building,
New York, New York,
Attorneys for Respondent.

Of Counsel:

HOCKER, GOODWIN & MacGREEVY,
St. Louis, Missouri,
GOLDMAN, EVANS & GOLDMAN,
New York, New York.

